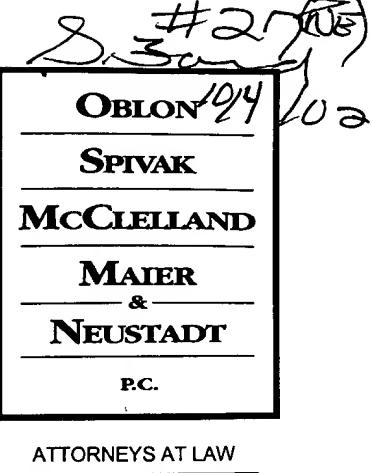




SB-US  
S-327006  
Docket No.: 214149US99M CONT



ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

ATTORNEYS AT LAW

RE: Application Serial No.: 09/095,325

Applicants: Gene EGGLESTON, et al.

CPA Filing September 18, 2001

Date:

For: MOTOROLA V. RESEARCH IN MOTION--METHOD  
AND APPARATUS FOR RATE GOVERNING  
COMMUNICATIONS

Group Art Unit: 2152

Examiner: Jason D. Cardone

SIR:

Attached hereto for filing are the following papers:

**REQUEST FOR RECONSIDERATION**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

**RECEIVED**

OCT 02 2002

Technology Center 2100

Respectfully submitted,

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DOCKET NO.: 214149US99M CONT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

GENE EGGLESTON, ET AL. : EXAMINER: CARDONE, J.

SERIAL NO: 09/095,325 :

CPA SEPTEMBER 18, 2001 : GROUP ART UNIT: 2152  
FILED:

FOR: METHOD AND APPARATUS FOR  
RATE GOVERNING  
COMMUNICATIONS :

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OCT 02 2002

Technology

REQUEST FOR RECONSIDERATION

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Reconsideration of this application in light of the following discussion is respectfully  
requested.

REMARKS

Claims 33-114 are presently active in this case.

Applicants acknowledge with appreciation the courtesy of an interview granted to  
Applicants' counsel on September 24, 2002, at which time the subject invention was explained in  
light of Applicants' disclosure, the outstanding issues were discussed, and arguments  
substantially as hereinafter developed were presented. The Examiner noted that he would  
reconsider the outstanding rejections upon submission of a formal response.

In the outstanding Office Action, Claims 33-114 were objected to under 35 U.S.C. § 112,  
first paragraph, for containing subject matter which was not described in the specification in such